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EXAMINER

DESIR, PIERRE LOUIS

ART UNIT	PAPER NUMBER
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2681

DATE MAILED: 03/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/026,172

Applicant(s)

FUJISAWA ET AL.

Examiner

Pierre-Louis Desir

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on 23 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1,3-15,17 and 19-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-15,17 and 19-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12/21/2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |                                                                                                    |                                                                             |
|----------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____                                                |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>01/09/2006</u> .                                                          | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

1. On Thursday, January 23, 2006, Applicant's attorney authorized Examiner to enter proposed amended claims. After further review of Applicant's arguments filed on 12/23/2005 and the cited references, the examiner's amendment could not be entered. Examiner promptly contacted Applicant's attorney to make him aware of such determination.

#### ***Response to Arguments***

2. Applicant's arguments filed on 12/23/2005 with respect to claims 1, 7-9, 13-15, 17, 20, 22, and 24 have been considered but are moot in view of the new ground(s) of rejection.

Applicant argues that Lee says nothing about the non-time information being displayed in response to the timer counting to an end of a predetermined period.

Examiner respectfully disagrees with Applicant. Lee discloses a method comprising display means 160 comprises a display device (LCD, LED, etc.) and the LCD or LED driver, or displaying data according to the key operation of input means 110, and data or an operating state according to the processing results of control means 120 (see col. 6, lines 22-26). Lee also discloses a method comprising checking to determine whether the received data is complete, and if so, the received data is displayed via display means 160. If the given mode is an operational mode, the call signal is received. Thereafter, the received specific code is checked against the previously stored specific code, and if they match, the user access code and the door opening instruction code is

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read out, to transmit an identification signal. Thus, operation of the system is completed (see col. 12, lines 24-50). Lee further discloses that the portable master key only operates upon input of the user's password, even if the portable master key is lost or stolen, its use by third parties is prevented since the device automatically disables itself. Here, third party usage is curtailed by way of a predetermined time limit being applied to the enabled state upon input of the user's password. For example, if the predetermined time period from the enabled start time has passed, the portable master key is automatically disabled (see col. 14, lines 17-33). Therefore, it would have been obvious to one skilled in the art to unhesitatingly conceptualize that at the end of the predetermined time period, data indicating operating state, and/or received data will be displayed on display 160.

Applicant argues, as regarding to Lee, what is displayed is an enable indication on the electronic display 160, not movement of a mechanical time display.

The related passage of the claim, on which the rejection as applied, reads, “..said time display member to display non-time information in accordance with said comparison data.” Lee discloses a portable electronic apparatus, which may be in the form of wristwatch (see fig. 2C), wherein a user possessing the electronic apparatus inputs a password data, the control means of the apparatus compares the input data with a previously stored data, and if they match, an enable indication appears on display means. Thus, Lee discloses displaying of non-time information in accordance with a comparison result data (see fig. 7, col. 8, lines 14-22). Examiner asserts that the indication that appears on the display means is non-time information since time information is not what is displayed.

*Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claim 26 is rejected under 35 U.S.C. 102(e) as being anticipated by Engelmann, U.S. Patent No. 6335906.

Engelmann discloses a control program for controlling a wrist-watch device having a wireless communication function, said wrist-watch device comprising a timepiece module including a mechanically driven time display member that displays the time (see fig. 1), and a wireless communication circuit that transmits and receives data to and from an external wireless device by wireless communication (i.e., an electronic module intended to allow contactless and wireless communication between the portable object and an external terminal provided for this purpose (see col. 1, lines 6-11), said wireless communication circuit including memory (i.e., memory circuit) (see col. 3, lines 7-8) that stores non-time data (i.e., data stored in the object corresponds to payment of a sufficient sum) (see col. 1, lines 20-24); the control program executing the steps of:

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detecting an instruction from an external source (i.e., detection of signal by the portable object from the external circuit) (see col. 1, lines 56-58); reading the data from said wireless communication circuit based on the instruction (i.e., the necessary identification or other data are written into and read from a memory in a contactless and wireless manner) (see col. 1, lines 65-67); and controlling the time display member to display non-time information in accordance with the stored data (see col. 3, lines 38-57).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, 7-9, 13-15, 17, 20, 22, 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Engelmann, U.S. Patent No. 6335906 in view of Lee, U.S. Patent No. 5475377.

Regarding claim 1, Engelmann discloses a wristwatch device (i.e., portable object) (see fig. 1) having a wireless communication function comprising: a timepiece module including a mechanically driven time display member that displays the time (see fig. 1); a wireless communication circuit that transmits and receives data to and from an external wireless device by wireless communication (i.e., an electronic module intended

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to allow contactless and wireless communication between the portable object and an external terminal provided for this purpose (see col. 1, lines 6-11), said wireless communication circuit including memory (i.e., memory circuit) (see col. 3, lines 7-8) that stores non-display data (i.e., data stored in the object corresponds to payment of a sufficient sum) (see col. 1, lines 20-24); a timepiece control unit (i.e., switch 24) (see fig. 1) that controls said time display member to display non-time information in accordance with the stored data (i.e., switch 24 can be moved between three different positions, and each of these three positions corresponds to the selection and activation of a particular service. Engelmann added, in order to simplify the user's task, and to allow him rapidly to select the service he desires, a code or indication can, for example, be marked on crystal allowing the service, which corresponds to the position of switch which he has selected to be visually identified, by means of an electro-optical display cell) (see col. 3, lines 38-57).

Although Engelmann discloses a device wherein the timepiece control unit controls the time display member to display non-time information (see col. 3, lines 38-57), and comprising a timer (i.e., clock signal chain) (see col. 4, lines 56-58), Engelmann does not specifically disclose a device comprising a comparator unit that compares a value of the stored data (i.e., non-display data) with a value of predetermined data, and that generates comparison result data; and wherein the time piece control unit controls the time display member to display non-time information in accordance with the comparison result data, nor does he disclose a timer that counts a predetermined time period and wherein said timepiece control unit is responsive to the time counting to an end of said

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predetermined time period for controlling said time display member to display information in accordance with the stored data.

However, Lee discloses a portable electronic apparatus, which may in the form of a wristwatch (see fig. 2C), wherein a comparator unit, which compares a stored non-display data with a value of predetermined data (see fig. 21, and col. 16, line 57 through col. 17, line 13), and that generates comparison result data (see fig. 21, and col. 17, lines 2-5). Lee also discloses a portable electronic apparatus, which may in the form of a wristwatch (see fig. 2C) further comprising a timer that counts a predetermined time period and wherein the control unit is responsive to the timer counting to an end of the predetermined time period (see col. 12, line 60 through col. 13, line 19). Also, Lee discloses display means 160 comprises a display device (LCD, LED, etc.) and the LCD or LED driver, or displaying data according to the key operation of input means 110, and data or an operating state according to the processing results of control means 120 (see col. 6, lines 22-26). Lee also discloses a method comprising checking to determine whether the received data is complete, and if so, the received data is displayed via display means 160. If the given mode is an operational mode, the call signal is received. Thereafter, the received specific code is checked against the previously stored specific code, and if they match, the user access code and the door opening instruction code is read out, to transmit an identification signal. Thus, operation of the system is completed (see col. 12, lines 24-50). Lee further discloses that the portable master key only operates upon input of the user's password, even if the portable master key is lost or stolen, its use by third parties is prevented since the device automatically disables itself. Here, third party usage is curtailed by way of a predetermined time limit being applied to the enabled



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state upon input of the user's password. For example, if the predetermined time period from the enabled start time has passed, the portable master key is automatically disabled (see col. 14, lines 17-33). Therefore, it would have been obvious to one skilled in the art to unhesitatingly conceptualize that at the end of the predetermined time period, data indicating operating state, and/or received data will be displayed on display 160.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine both arts to arrive at the claimed invention. A motivation for doing so would have been to enhance the security in the communication procedure.

Regarding claim 7, Engelmann discloses a device as described above (see claim 1 rejection).

Although Engelmann discloses a device wherein the timepiece control unit controls the time display member to display non-time information (see col. 3, lines 38-57), Engelmann fails to specifically disclose a device wherein the timepiece control unit controls the time display member to display information in accordance with the comparison result data when the value of the stored data is less than the value of the predetermined data, and the timepiece control unit is responsive to an updating signal transmitted from the external wireless device for updating the value of the predetermined data.

However, Lee discloses a portable electronic apparatus, which may in the form of a wristwatch (see fig. 2C), wherein a comparator unit, which compares a stored non-display data with a value of predetermined data (see fig. 21, and col. 16, line 57 through

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col. 17, line 13), and that generates comparison result data (see fig. 21, and col. 17, lines 2-5). Lee further discloses a case as related to the comparison result data when the value of the stored is less than the value of the predetermined data (see col. 18, lines 16-23); and responsive to an updating signal transmitted from an external device, the value of the predetermined data is updated (see col. 117, line 64, through col. 18, line 3).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine both arts to arrive at the claimed invention. A motivation for doing so would have been to enhance the security in the communication procedure, and to ensure the storing of updated data.

Regarding claim 8, Engelmann discloses a device as described above (see claim 1 rejection).

Although Engelmann discloses a device as described, Engelmann fails to specifically disclose a device wherein the wireless communication circuit is responsive to a polling signal from the external wireless device for transmitting a communication enable signal indicating that wireless communication is to be performed with external wireless device.

However, Lee discloses a portable electronic apparatus, which may in the form of a wristwatch (see fig. 2C) wherein a wireless communication circuit is responsive to a polling signal from an external wireless device for transmitting a communication enable signal indicating that wireless communication is to be performed with external wireless device (see fig. 21, and col. 16, lines 47-56).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine both arts to arrive at the claimed invention. A motivation for doing so would have been to enhance convenience and improve security and safety (see abstract).

Regarding claim 9, Engelmann discloses a wrist-watch device (see claim 1 rejection) further comprising a housing (i.e., case 2) and a switch positioned on said housing (i.e., switch 24) and wherein the timepiece control unit is responsive to actuation of the switch for controlling the time display to display information in accordance with the stored data (i.e., a wristwatch, which includes a case (i.e. housing) with which are associated at least two different electronic modules, each module allowing access to a particular service, the portable object also including a selection switch, which is able to be actuated manually, for selecting and activating one of said electronic modules as a function of the service desired by the user (see abstract, fig. 1, and col. 3, lines 34-48).

Regarding claim 13, Engelmann discloses a wristwatch device (see claim 1 rejection) wherein the wireless communication circuit comprises an IC chip (i.e., integrated circuit) (see col. 4, lines 51) including a communicator that modulates and demodulates data (i.e., data extraction chain) (see col. 4, lines 55-56), and a controller that controls individual elements (i.e., logic control circuit) (see col. 4, lines 59-60).

Regarding claim 14, Engelmann discloses a wristwatch device (see claim 1 rejection) wherein the wireless communication circuit comprises a power supply voltage generator that receives a signal from said external wireless device and that generates a power supply voltage from said received signal (i.e., an AC/DC converter transforms the

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alternating electromagnetic wave picked up by antenna into an internal DC supply voltage for the integrated circuit) (see col. 4, lines 48-51), and the timepiece control unit reads data from the wireless communication circuit by using said generated power (see col. 3, line 64 through col. 4, line 13).

Although Engelmann discloses a device as described, Engelmann does not specifically disclose a device including a battery for powering said time display member to display time information.

However, Lee discloses a device comprising a primary or secondary primary cell (see col. 6, lines 31-34).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings as described above to arrive at the claimed invention would have been to ensure that the device is appropriately being powered to be able to display data accordingly.

Regarding claim 15, Engelmann discloses a device as described above (see claim 1 rejection).

Although Engelmann discloses a device as described, Engelmann fails to specifically disclose a device wherein the memory stores prepaid card data.

However, Lee discloses a portable electronic apparatus, which may in the form of a wristwatch (see fig. 2C) wherein the memory stores prepaid card data (i.e., an amount of prepaid money is stored into the memory of the portable electronic device) (see col. 3, lines 57-60).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine both arts to arrive at the claimed invention. A motivation for doing so would have been to provide to the device the availability of a prepaying system.

Regarding claim 17, Engelmann discloses an information display method (see col. 3, lines 49-57) for use in a wrist-watch device having a wireless communication function (see col. 1, lines 6-11), said wrist-watch device comprising a timepiece module including a mechanically driven time display member that displays the time (see fig. 1), and a wireless communication circuit that transmits and receives data to and from an external wireless device by wireless communication (i.e., an electronic module intended to allow contactless and wireless communication between the portable object and an external terminal provided for this purpose (see col. 1, lines 6-11), said wireless communication circuit including memory (i.e., memory circuit) (see col. 3, lines 7-8) that stores non-time data (i.e., data stored in the object corresponds to payment of a sufficient sum) (see col. 1, lines 20-24); said information display method comprising the steps of: reading said stored data from said wireless communication circuit in response to an instruction signal (i.e., the necessary identification or other data are written into and read from a memory in a contactless and wireless manner) (see col. 1, lines 65-67).

Although Engelmann discloses a device wherein the timepiece control unit controls the time display member to display non-time information (see col. 3, lines 38-57), Engelmann fails to specifically disclose a device comprising comparing a value of the stored data with a value of predetermined data; generating comparison result data;

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and controlling said the time display member to display non-time information in accordance with said comparison result data.

However, Lee discloses a portable electronic apparatus, which may in the form of a wristwatch (see fig. 2C), wherein a comparator unit, which compares a stored non-display data with a value of predetermined data (see fig. 21, and col. 16, line 57 through col. 17, line 13), and that generates comparison result data (see fig. 21, and col. 17, lines 2-5).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine both arts to arrive at the claimed invention. A motivation for doing so would have been to enhance the security in the communication procedure.

Regarding claim 20, Engelmann discloses a method (see claim 17 rejection) wherein the wristwatch device comprises a switch (see abstract), the method further comprising activating the switch (i.e., movement of switch 24) (see col. 3, line 58) controlling the time display to display information in accordance with the stored data in response to activation of the switch (see col. 3, lines 34-57).

Regarding claim 22, Engelmann discloses a recording medium (i.e., memory circuit) (see col. 3, lines 7-8) for storing a control program executable by a computer for controlling a wristwatch device having a wireless having a wireless communication function, said wrist-watch device comprising a timepiece module including a mechanically driven time display member that displays the time (see fig. 1), and a wireless communication circuit that transmits and receives data to and from an external

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wireless device by wireless communication (i.e., an electronic module intended to allow contactless and wireless communication between the portable object and an external terminal provided for this purpose (see col. 1, lines 6-11), said wireless communication circuit including memory that stores non-time data (i.e., memory circuit) (see col. 3, lines 7-8); the control program executing a method comprising the steps of: detecting an instruction from an external source (i.e., detection of signal by the portable object from the external circuit) (see col. 1, lines 56-58); reading the data from said wireless communication circuit based on the instruction (i.e., transmitting radio signals corresponding to the reading of the data stored in the memory circuit) (see col. 1, lines 52-54).

Although Engelmann discloses a recording medium wherein the timepiece control unit controls the time display member to display non-time information (see col. 3, lines 38-57), Engelmann fails to specifically disclose a recording medium comprising comparing a value of the stored data with a value of predetermined data; generating comparison result data; and controlling said the time display member to display non-time information in accordance with said comparison result data.

However, Lee discloses a portable electronic apparatus, which may in the form of a wristwatch (see fig. 2C), wherein a comparator unit, which compares a stored non-display data with a value of predetermined data (see fig. 21, and col. 16, line 57 through col. 17, line 13), and that generates comparison result data (see fig. 21, and col. 17, lines 2-5).

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Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine both arts to arrive at the claimed invention. A motivation for doing so would have been to enhance the security in the communication procedure.

Regarding claim 24, Engelmann discloses a recording medium (see claim 22 rejection), wherein said wristwatch device comprises a switch (see abstract), the method further comprising: activating said switch (i.e., movement of switch 24) (see col. 3, line 58); and said detection of said instruction is in response to activation of said switch (see col. 3, lines 58-63)

8. Claims 3-6, 10-11, 19, 21, 23, 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Engelmann and Lee in further view of Nomura et al. (Nomura), U.S. Patent No. 4223522.

Regarding claim 3, the combination (Engelmann and Lee) discloses a wristwatch as described above (see claim 1 rejection).

Although the combination discloses a wristwatch device wherein the time display comprises a second hand (see Engelmann col. 3, lines 15-20), the combination fails to specifically disclose that the timepiece control unit controls the second hand to perform an irregular movement in accordance with the comparison result data.

However, Nomura discloses a wristwatch device wherein the movement of the second hand is modulated in such a way as to be irregular (see col. 8, lines 39-45).



Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Engelmann and Lee with the teachings of Nomura to arrive at the claimed invention. A motivation for doing so would have been to provide a wristwatch device wherein the irregular movement quickly attract the attention of the user, so that the user is quickly made aware of the condition which has been sensed by the state sensor (see col. 8, lines 44-48).

Regarding claim 4, the combination (Engelmann and Lee) discloses a wristwatch as described above (see claim 3 rejection).

Although the combination discloses a device as described above, the combination fails to specifically disclose a device wherein the timepiece control unit controls the second hand to move a predetermined distance in accordance with the stored data.

However, Nomura discloses a wristwatch wherein the timepiece control unit controls the second hand to move a predetermined distance (i.e., the seconds hand is advanced clockwise through three successive steps, corresponding to an indication of three seconds on the timepiece dial, within a time of several tens of milliseconds) (see col. 8, lines 27-31).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Engelmann and Lee with the teachings of Nomura to arrive at the claimed invention. A motivation for doing so would have been to provide a wristwatch device wherein the irregular movement quickly attract the attention of the user, so that the user is quickly made aware of the condition which has been sensed by the state sensor (see col. 8, lines 44-48).

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Regarding claim 5, the combination (Engelmann and Lee) discloses a wristwatch as described above (see claim 4 rejection).

Although the combination discloses a device as described above, the combination fails to specifically disclose a device wherein the timepiece control unit controls the second hand to restart displaying time after a predetermined period following movement of the second hand the predetermined distance.

However, Nomura discloses a wristwatch wherein the timepiece control unit controls the second hand to restart displaying time after a predetermined period following movement of the second hand the predetermined distance (i.e., three seconds later, the second hand is advanced clockwise through one step. Thus, during an interval of four seconds, the second hand has been advanced by a correct amount, although the advancement has been performed in an irregular manner) (see col. 8, lines 31-35).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Engelmann and Lee with the teachings of Nomura to arrive at the claimed invention. A motivation for doing so would have been to provide a wristwatch device wherein the irregular movement quickly attract the attention of the user, so that the user is quickly made aware of the condition which has been sensed by the state sensor (see col. 8, lines 44-48).

Regarding claim 6, the combination (Engelmann and Lee) discloses a wristwatch as described above (see claim 3 rejection).

Although the combination discloses a device as described above, the combination fails to specifically disclose a device wherein the timepiece control unit controls the second hand to move a predetermined position in accordance with the stored data.

However, Nomura discloses a wristwatch wherein the timepiece control unit controls the second hand to move a predetermined position (i.e., the seconds hand is advanced clockwise through three successive steps, corresponding to an indication of three seconds on the timepiece dial, within a time of several tens of milliseconds) (see col. 8, lines 27-31).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Engelmann and Lee with the teachings of Nomura to arrive at the claimed invention. A motivation for doing so would have been to provide a wristwatch device wherein the irregular movement quickly attract the attention of the user, so that the user is quickly made aware of the condition which has been sensed by the state sensor (see col. 8, lines 44-48).

Regarding claim 10, the combination discloses a device as described above (see claim 1 rejection).

Although the combination discloses a device as described, the combination fails to specifically disclose a device wherein the time display member comprises a first dial that displays at least one of the day of the week and the day of the month and said timepiece control unit controls the first dial to display information in accordance with said stored data.

However, Nomura discloses a wristwatch wherein the time display member comprises a first dial that displays at least one of the day of the week and the day of the month and said timepiece control unit controls the first dial to display information (i.e., the compound modulated display can be adapted so that the hands of the display are modulated on a specified day such as a birthday. It is also possible to provide differing compound modulated displays for a specified respective time, date and day of the week) (see col. 6, lines 5-14).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings as described to arrive at the claimed invention. A motivation for doing so would have been to provide a highly variable display) (see Nomura col. 6, lines 21-22).

Regarding claim 11, the combination discloses a device as described above (see claim 1 rejection).

Although the combination discloses a device as described, the combination fails to specifically disclose a device wherein the time display member comprises a first dial that displays time, and a separate second dial that displays at least one of the day of the week and the day of the month and said timepiece control unit controls said second dial to display information in accordance with the stored data.

However, Nomura discloses a wristwatch device wherein the time display member comprises a first dial that displays time (i.e., time-indicating hands to provide a time display) (see abstract), and a separate second dial that displays at least one of the day of the week and the day of the month (i.e., the compound modulated display can be

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adapted so that the hands of the display are modulated on a specified day such as a birthday (day of the month). It is also possible to provide differing compound modulated displays for a specified respective time, date and day of the week) (see col. 6, lines 5-14).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings as described to arrive at the claimed invention. A motivation for doing so would have been to provide a highly variable display) (see Nomura col. 6, lines 21-22).

Regarding claim 19, the combination (Engelmann and Lee) discloses a method as described above (see claim 17 rejection).

Although the combination discloses a method wherein the time display member comprises a second hand (see Engelmann col. 3, lines 15-20), the combination fails to specifically disclose a method further comprising controlling the second hand to perform an irregular movement in accordance with the comparison result data.

However, Nomura discloses a wristwatch device wherein the movement of the second hand is modulated in such a way as to be irregular (see col. 8, lines 39-45).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Engelmann and Lee with the teachings of Nomura to arrive at the claimed invention. A motivation for doing so would have been to provide a wristwatch device wherein the irregular movement quickly attract the attention of the user, so that the user is quickly made aware of the condition which has been sensed by the state sensor (see col. 8, lines 44-48).

Regarding claim 21, the combination (Engelmann and Lee) discloses a method described above (see claim 17 rejection).

Although the combination discloses a method as described above, the combination fails to specifically disclose a method further comprising restarting time display after controlling the time display member to display information in accordance with the stored data for a predetermined period.

However, Nomura discloses a wristwatch wherein the timepiece control unit controls the second hand to restart displaying time after a predetermined period following movement of the second hand the predetermined distance (i.e., three seconds later, the second hand is advanced clockwise through one step. Thus, during an interval of four seconds, the second hand has been advanced by a correct amount, although the advancement has been performed in an irregular manner) (see col. 8, lines 31-35).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Engelmann and Lee with the teachings of Nomura to arrive at the claimed invention. A motivation for doing so would have been to provide a wristwatch device wherein the irregular movement quickly attract the attention of the user, so that the user is quickly made aware of the condition which has been sensed by the state sensor (see col. 8, lines 44-48).

Regarding claim 23, the combination (Engelmann and Lee) discloses a recording medium as described above (see claim 22 rejection).

Although the combination discloses a recording medium wherein the time display member comprises a second hand (see Engelmann col. 3, lines 15-20), the combination fails to specifically disclose a recording medium further comprises controlling the second hand to perform an irregular movement in accordance with the comparison result data.

However, Nomura discloses a wristwatch device wherein the movement of the second hand is modulated in such a way as to be irregular (see col. 8, lines 39-45).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Engelmann and Lee with the teachings of Nomura to arrive at the claimed invention. A motivation for doing so would have been to provide a wristwatch device wherein the irregular movement quickly attract the attention of the user, so that the user is quickly made aware of the condition which has been sensed by the state sensor (see col. 8, lines 44-48).

Regarding claim 25, the combination (Engelmann and Lee) discloses a recording medium as described above (see claim 22 rejection).

Although the combination discloses a recording medium as described above, the combination fails to specifically disclose a recording medium further comprising restarting time display after controlling the time display member to display information in accordance with the stored data for a predetermined period.

However, Nomura discloses a wristwatch wherein the timepiece control unit controls the second hand to restart displaying time after a predetermined period following movement of the second hand the predetermined distance (i.e., three seconds later, the

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second hand is advanced clockwise through one step. Thus, during an interval of four seconds, the second hand has been advanced by a correct amount, although the advancement has been performed in an irregular manner) (see col. 8, lines 31-35).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Engelmann and Lee with the teachings of Nomura to arrive at the claimed invention. A motivation for doing so would have been to provide a wristwatch device wherein the irregular movement quickly attract the attention of the user, so that the user is quickly made aware of the condition which has been sensed by the state sensor (see col. 8, lines 44-48).

9. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Engelmann and Lee in further view of Sakumoto et al. (Sakumoto) (U.S. Patent no. 6449583).

Regarding claim 12, the combination discloses a device as described above (see claim 1 rejection).

Although the combination discloses a device as described, the combination fails to specifically disclose a device wherein the time display member comprises a stop-watch indicator hand and a stop-watch dial that displays measured time, and said timepiece control unit controls said stop-watch indicator hand to display information.

However, the combination fails to disclose if the wireless communication function, further comprising restarting time display after controlling said time display



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member to display information in accordance with said stored data for a predetermined, and a timer that counts a predetermined time period. The combination also fails to disclose if the time display comprises of a stopwatch indicator hand and a stopwatch dial. However, Sakumoto discloses a wristwatch device comprises an input section, a measurement section for performing measurement of a time or a period of time, a display section for providing various displays, and a control section for controlling each of these sections. The input section includes a mode button to be used by a user for performing various mode-setting operations, and a start button, a stop button, a lap button, and a reset button to be used by a user for inputting a start command, a stop command, a lap command, and a reset command for the stopwatch functions) (see fig. 1, col. 4, lines 21-45).

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to improve upon the wrist-watch device as taught by the combination by implementing the characteristics of Sakumoto's wrist watch because the implementation would reduce the burden imposed on a user, while allowing a user to immediately confirm measured data and statistical data with the high reliability immediately when required to do so (see col. 2, lines 7-10).

### ***Conclusion***

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

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TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pierre-Louis Desir whose telephone number is (571) 272-779. The examiner can normally be reached on Monday-Friday 8:00AM- 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on (571) 272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Pierre-Louis Desir  
AU 2681  
03/05/2006

  
JOSEPH FEILD

SUPERVISORY PATENT EXAMINER